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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,636	07/03/2001	Richard C. Notargiacomo	83036F-P	9660

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07/07/2003

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EXAMINER

FLEURANTIN, JEAN B

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 07/07/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten signature

Office Action Summary

Application No.

09/898,636

Applicant(s)

NOTARGIACOMO ET AL.

Examiner

Jean B Fleurantin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

1. Claims 1-36 are presented for examination.

Information Disclosure Statement

2. The references cited in the information disclosure statement (IDS), PTO-1449, have been fully considered by the examiner.

Claim Objections

3. Claims 5 and 7 are objected to because of the following informalities: improper dependency. Appropriate correction is required.

Claim Rejections – 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mindrum (US Patent Number 6,340,978) (“Mindrum”).

As per claims 1 and 28, Mindrum teaches a method for capturing and distributing memories of a deceased individual, as claimed comprises the steps of providing an electronic storage memory database that can be accessed over a communication network (thus, the

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information is stored in a central database 50, information about the individual can be accessible through any kind of remote computer link such as over the Internet, and can be accessed and used; which is equivalent to providing an electronic storage memory database that can be accessed over a communication network)(see col. 5, lines 61-63), said electronics storage memory database having a unique address for storing data with respect to said deceased individual (thus, an identification tag with the customer number is also created which is sent to the funeral home , the identification tag is place in the casket with the deceased, which will include the telephone number of the office and the customer identification number; which is readable as said electronics storage memory database having a unique address for storing data with respect to said deceased individual)(see col. 13, lines 21-29). But, Mindrum does not explicitly indicate said database having means for allowing selective entry of information into said database with respect to said selected individual. However, Mindrum implicitly indicates identifiers located adjacent each burial site 46A-46C allow a visitor to access information associated with the individual buried at a particular site, for instance electronic identifiers 46A-46C each have a unique transponder signal, which when the mobile unit 30 is proximally located will automatically transmit the information to the mobile units 30, which will in turn receive information associated with the individual buried at that particular gravesite; which is readable as said database having means for allowing selective entry of information into said database with respect to said selected individual, (see col. 5, lines 51-59). Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the teachings of Mindrum with said database having means for allowing selective entry of information into said database with respect to said selected individual. This modification would allow the

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teachings of Mindrum to provide a method for presenting information about an entity (see col. 2, lines 6-7).

As per claims 2 and 17, Mindrum teaches a method as claimed wherein said means for selective access said database comprises an information card having the address of said selected individual, (thus, an identification tag with the customer number is also created which is sent to the funeral home, the identification tag is place in the casket with the deceased, which will include the telephone number of the office and the customer identification number; which is readable wherein said means for selective access said database comprises: an information card having the address of said selected individual)(see col. 13, lines 21-29).

As per claims 3 and 18, Mindrum teaches a method as claimed wherein said information card includes scannable data that can be scanned for allowing automatic access to said database for said selected individual, (thus, identifiers located adjacent each burial site 46A-46C allow a visitor to access information associated with the individual buried at a particular site, for instance electronic identifiers 46A-46C each have a unique transponder signal, which when the mobile unit 30 is proximally located will automatically transmit the information to the mobile units 30, which will in turn receive information associated with the individual buried at that particular gravesite; which is readable as wherein said information card includes scannable data that can be scanned for allowing automatic access to said database for said selected individual)(see col. 5, lines 51-59).

As per claims 4 and 19, Mindrum teaches a method as claimed wherein said means for accessing said database is provided when the deceased is being presented for viewing, (see col. 6, lines 5-14).

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As per claims 5 and 20, Mindrum teaches a method as claimed wherein said means for accessing said database is provided when the wake or funeral of said individual is conducted, (see col. 6, lines 5-14).

As per claims 6 and 21, Mindrum teaches a method as claimed wherein means for automatically accessing said database includes a web page on said electronic storage memory database having a unique URL, (see cols. 12-13, lines 64-5).

As per claims 7 and 22, Mindrum teaches a method as claimed wherein said web page includes a template which setting forth the manner and structure of the web page/site, (see col. 12-13, lines 64-5).

As per claims 8 and 23, Mindrum teaches a method as claimed wherein said web page is hosted by a business establishment having a plurality of such web pages, (see col. 12-13, lines 64-5).

As per claim 9, Mindrum teaches a method as claimed wherein said data may comprise any one of the following: text, image, or sound, (see col. 11, lines 48-61).

As per claims 10 and 26, Mindrum teaches a method as claimed wherein said information comprises multi-media information, (see col. 11, lines 48-61).

As per claims 11 and 27, Mindrum teaches a method as claimed wherein said database has a public and private section (thus, the information would be secured with two levels including confidential information accessible for family use only and public information accessible to anyone; which is readable as wherein said database has a public and private section)(see cols. 5-6, lines 65-1).

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As per claim 12, in addition to the discussion in claim 1, Mindrum further teaches providing means for accessing said database over said communication network (thus, the information is stored in a central database 50, information about the individual can be accessible through any kind of remote computer link such as over the Internet, and can be accessed and used; which is equivalent to providing means for accessing said database over said communication network)(see col. 5, lines 61-63);

providing pre-authorization for selected individual for accessing said database (thus, identifiers located adjacent each burial site 46A-46C allow a visitor to access information associated with the individual buried at a particular site, for instance electronic identifiers 46A-46C each have a unique transponder signal, which when the mobile unit 30 is proximally located will automatically transmit the information to the mobile units 30, which will in turn receive information associated with the individual buried at that particular gravesite; which is readable as providing pre-authorization for selected individual for accessing said database)(see col. 5, lines 51-59).

As per claims 13 and 33, Mindrum teaches a method as claimed wherein said providing pre-authorization for selected individual for accessing said database comprises providing of access cards having the electronic address of said electronic storage database, (see col. 5, lines 51-59).

As per claim 14, in addition to the discussion in claim 12, Mindrum further teaches providing a gatekeeper for having editorial control over entry of said data (thus, the person attempting to access enters the Internet and finds the central office web site, once in the web site the person attempting access will typically be required to sign on and enter his or her name and

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any appropriate passwords, the person attempting access interfaces on the office side 81 through the Internet server 121, an accessible information file is transferred from the on-line permanent storage 120, this information file 121 interfaces with the Internet server and provides the information which the user is presented, whenever somebody logs in the access information is recorded in step 122, appropriate filters are maintained and the permanent record is updated in step 123, which is written to the on-line permanent storage 120; which is readable as providing a gatekeeper for having editorial control over entry of said data)(see cols. 12-13, lines 64-10).

As per claims 15 and 36, in addition to the discussion in claims 12 and 14, Mindrum further teaches providing pre-approval of said information prior to being entered into said database (thus, the person attempting to access enters the Internet and finds the central office web site, once in the web site the person attempting access will typically be required to sign on and enter his or her name and any appropriate passwords, the person attempting access interfaces on the office side 81 through the Internet server 121, an accessible information file is transferred from the on-line permanent storage 120, this information file 121 interfaces with the Internet server and provides the information which the user is presented, whenever somebody logs in the access information is recorded in step 122, appropriate filters are maintained and the permanent record is updated in step 123, which is written to the on-line permanent storage 120; which is readable as providing pre-approval of said information prior to being entered into said database)(see col. 13, lines 1-16).

As per claim 16, in addition to the discussion in claim 1, Mindrum further teaches providing means for automatically accessing said database with respect to said individual over said communication network (thus, the information is stored in a central database 50,

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information about the individual can be accessible through any kind of remote computer link such as over the Internet, and can be accessed and used; which is readable as providing means for automatically accessing said database with respect to said individual over said communication network)(see col. 5, lines 61-63).

As per claims 24 and 32, Mindrum teaches a method as claimed wherein said electronic data base is accessed by a Kiosk, (see col. 14, lines 41-44).

As per claim 25, Mindrum teaches a method as claimed wherein said electronic data base is accessed by personal computer at location remote from said electronic data base, (see col. 5, lines 1-12).

As per claim 29, Mindrum teaches a method as claimed further comprises a remote communication device for communication with said electronic storage memory data base over said communication network (thus, the information is stored in a central database 50, information about the individual can be accessible through any kind of remote computer link such as over the Internet, and can be accessed and used; which is readable as comprises a remote communication device for communication with said electronic storage memory data base over said communication network)(see col. 5, lines 61-63).

As per claim 30, the limitations of claim 30 are rejected in the analysis of claim 1, and this claim is rejected on that basis.

As per claim 31, the limitations of claim 31 are rejected in the analysis of claim 1, and this claim is rejected on that basis.

As per claim 34, the limitations of claim 34 are rejected in the analysis of claim 2, and this claim is rejected on that basis.

As per claim 35, Mindrum teaches a method wherein said includes a machine readable code which provides information for said automatic access, (see col. 13, lines 21-31).

Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Doyle et al. US Patent No. 6,438,550, relates to client authentication.

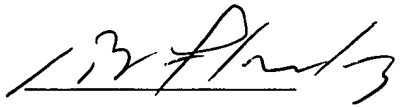
Conclusion

6. Any inquiry concerning this communication from examiner should be directed to Jean Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Mrs. KIM VU can be reached at (703) 305-8449. The FAX phone numbers for the Group 2100 Customer Service Center are: After Final (703) 746-7238, Official (703) 746-7239, and Non-Official (703) 746-7240. NOTE: Documents transmitted by facsimile will be entered as official documents on the file wrapper unless clearly marked "DRAFT".

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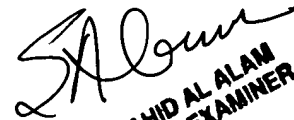
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2100 Customer Service Center receptionist whose telephone numbers are (703) 306-5631, (703) 306-5632, (703) 306-5633.



Jean Bolte Fleurantin

6/25/2003

JBF/


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PATENT EXAMINER
Primary